

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES EXCHANGE :
COMMISSION, :
: :
Plaintiff, : :
-against- : : 1:24-cv-07362-ALC
ZHABILOV, et. al., : :
: :
Defendants. : :
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ANDREW L. CARTER, JR., United States District Judge:

On June 27, 2025, this Court declined to rule on Defendant Camelot Nevada Trust’s (“Camelot”) request for a pre-motion conference concerning its anticipated motion to dismiss and challenge to service in this action because Camelot had not yet appeared in this action. Dkt. No. 82 at 1. At that time, Defendant Billy Ray (“Ray”) similarly had not appeared in this matter. Dkt. No. 82 at 3. On July 2, 2025, Trustee Kelli D. Austin entered an appearance in this matter both as an individual and on behalf of Camelot; on June 7, 2025, Ray also entered a notice of appearance in this action. Dkt. Nos. 94, 96. Because both parties have appeared, the Court concludes that it is now appropriate to rule on their requests.

Now before the Court are Defendant Ray and Camelot's¹ requests for leave to file motions to dismiss, as well as Trustee Austin's request for an extension of time to retain counsel for Camelot. Dkt. No. 95. Defendant Ray and Camelot are hereby **GRANTED** leave to file **one** combined motion to dismiss, as their letters to the Court indicate that their interests are aligned

1 Given the dispute between the Plaintiff Securities and Exchange Commission (“SEC”) and Camelot concerning whether Camelot has been properly served in this matter, the Court will treat Trustee Austin’s requests as requests properly made by Camelot. However, as Trustee Austin conceded in her letter to the Court dated July 2, 2025 (Dkt. No. 95) the trust (i.e., Camelot) may not proceed on a *pro se* basis. Therefore, the Court hereby **GRANTS** Camelot 14 days (until July 25, 2025) to find and retain counsel.

and the Court finds that, given this alignment, the filing of two separate motions would neither be efficient nor a good use of judicial resources. Defendant Camelot's request for a 14-day extension to retain counsel for the purpose of filing its motion to dismiss is also hereby **GRANTED**. The Court also hereby sets a separate briefing schedule for Ray and Camelot only, to file their combined motion to dismiss in light of the fact that Camelot is still seeking counsel. This briefing schedule is as follows:

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| Ray and Camelot combined moving brief to be filed: | August 25, 2025 |
| Opposition brief to be filed: | September 16, 2025 |
| Ray and Camelot combined reply brief to be filed: | September 30, 2025 |

In addition, the Court will hold a telephonic conference in this matter on **July 16, 2025** **at 3 P.M. E.T.** All parties shall appear and should contact the Court at 1-855-244-8681 (access code: 2305 370 0226#). The parties shall be prepared to discuss whether Defendants Ray and Camelot were consulted regarding the joint status report filed on July 2, 2025 (Dkt. No. 90) as Ordered by this Court on June 27, 2025 (Dkt. No. 82 at 2). In addition, Trustee Austin and the SEC should be prepared to discuss the issue of whether service on Trustee Austin was a proper way to effectuate service on Camelot, and/or whether the SEC intends to amend its Complaint to sue Trustee Austin in this matter. *See* Dkt. Nos. 70, 83, 95.

SO ORDERED.

Dated: July 11, 2025

New York, New York

ANDREW L. CARTER, JR.
United States District Judge